

Guidance for adopting a Groundwater Management Plan

The process listed below is summarized for readability and should only be used as a guide. Always refer to the appropriate sections in the California Water Code for the precise language and steps in establishing a groundwater management plan. The process for developing and adopting a new groundwater management plan or the revision of an existing plan uses the same process.

Note: The bracketed text at the end of each step is the citation California Water section.

- 1) Prior to adopting a resolution of intention to draft a GW management plan:
 - a) Publish notice of a public hearing. [10753.2 (a)]
 - b) Hold the public hearing on whether or not to adopt a resolution of intention to draft a GW management plan. [10753.2 (a)]
 - c) At the conclusion of the public hearing, a resolution of intention to draft [adopt] a GW management plan can be adopted. [10753.2 (b)]
 - d) **Effective 1/1/2012** - Provide to the appropriate DWR regional office with an electronic copy of [signed] resolution of intention adopted within 30 days of the date of adoption. Also provide the contact information for the person in charge of drafting the GW management plan. [10753.2 (c)]
 - e) After the conclusion of the public hearing (step #1b), and if a resolution of intention is adopted (step #1c), publish the resolution of intention. [10753.3 (a)]
 - f) Upon written request, provide any interested person with a copy of the resolution of intention. [10753.3 (b)]
- 2) Preparing the GW management plan:
 - a) Prepare a groundwater management plan within two years of the date of the adoption of the resolution of intention (step 1c). [10753.4 (a)]
 - i) The resolution expires after two years and the plan shall not be adopted unless a new resolution of intention is adopted (see section 1 for process) *CWC Section 10753.4 (a)(1)*
 - ii) **Effective 1/1/2012** - If the plan is not adopted within two years, and are operating under a previously adopted groundwater management plan, that previous plan shall remain in effect. [10753.4 (a) (2)]
 - iii) **Effective 1/1/2012** - Make available to the public and the appropriate DWR regional office a written statement describing the manner in which interested parties may participate in developing the groundwater management plan. [10753.4 (b)]
 - iv) May appoint, and consult with, a technical advisory committee consisting of interested parties for the purposes of carrying out this part (preparing a groundwater management plan). [10753.4 (b)]
 - v) **Effective 1/1/2012** - Establish and maintain a list of persons interested in receiving notices regarding plan preparation, meeting announcements, and availability of draft plans, maps, and other relevant documents. Any person may request, in writing, to be placed on the list of interested persons. [10753.4 (c)]
- 3) Adopting a GW management plan:
 - a) **Effective 1/1/2012** – Publish a notice of the 2nd public hearing, provide a copy to the appropriate DWR regional office and to all persons on the list established and maintained (step #2v). [10753.5 (a)]
 - b) **Effective 1/1/2012** –The notice shall include a summary of the plan and how to obtain copies of the plan and maps from the local agency. [10753.5 (a)]

- c) Hold the 2nd public hearing to determine whether to adopt the plan developed in part 2 above. [10753.5 (a)]
- d) At the second hearing, consider protests to the adoption of the plan. [10753.5 (b)]
- e) Prior to the conclusion of the second hearing, any landowner within the local agency may file a written protest or withdraw a protest previously filed. [10753.5 (b)]

4) Processing landowner protests:

- a) Protests must in written format with signatures and property descriptions. [10753.6 (a)]
- b) Validate the names and property descriptions. [10753.6 (b)]
- c) A majority protest consists of more than 50% of the assessed value of the land within the agency. [10753.6 (c) (1)]
- d) If a majority protest exists, the plan shall not be adopted. No new plan for the same area may be considered for 1 year. [10753.6 (c) (2)]
- e) If there is no majority protest, the groundwater management plan may be adopted within 35 days after the 2d public hearing. [10753.6 (c) (3)]

5) GW Management Plan

- a) Adopt rules and regulations for implementation and enforcement of the plan. [10753.9]

Note: For the purposes of qualifying as a groundwater management plan, a plan shall contain the components that are set forth in this section [10753.7]. Please see the supporting guidance document that details the required technical components covered in this section.

6) AB359 water code changes to required components:

- a) **Effective 1/1/2013** - Provide [recharge] map to the appropriate local planning agencies after adoption of the groundwater management plan. [10753.7 (a) (4) (B)]
- b) **Effective 1/1/2013** – After providing map to local planning agency, notify the appropriate DWR regional office and all persons on list established (step 2av). [10753.7 (a) (4) (C)]

7) Closing:

- a) Upon the adoption of a groundwater management plan in accordance with this part submit a copy of the adopted plan to the appropriate DWR regional office, in an electronic format, if practicable, approved by the department. [10753.7 (b) (2)]
- b) To aid in tracking the status of groundwater management it is requested by DWR that;
 - i) Provide an ESRI ArcMap compatible shapefiles that shows the management plan area and all neighboring agencies that also share the GW basin, copies of signed signatory MOU's and if possible a shapefile for each individual signatory, and regular reports created be provided to the appropriate DWR regional office.
 - ii) Provide updates of the management area shapefile if the area changes to the appropriate DWR regional office.

The latest California Water Code can be reviewed by visiting the California Legislative Information website at: <http://leginfo.legislature.ca.gov/faces/codes.xhtml>

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